

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LEONARDO DEBESS WELLS, SR.,

Plaintiff,

vs.

CAROLYN V. COLVIN,

Defendant.

Case No. 2:13-cv-00529-JCM-PAL

**ORDER**

(IFP App - Dkt. #3)

Plaintiff Leonard Debess Wells, Sr., is proceeding in this action pro se. Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed in forma pauperis and submitted a Complaint on March 27, 2013. *See* Application (Dkt. #1). This proceeding was referred to this court by Local Rule IB 1-9.

Plaintiff's initial Application to Proceed In Forma Pauperis was incomplete. Although he indicated he received disability or worker's compensation payments and pension, annuity, or life insurance payments, he had not described the source of those funds, the amount he has received, and what he expects to receive in the future. Additionally, he did not indicate whether or not he receives income from any of the other listed sources in question 3. As a result, the court could not determine whether Plaintiff was eligible to proceed in forma pauperis. The court denied Plaintiff's initial Application without prejudice and allowed him to refile a completed one.

Plaintiff filed a second Application (Dkt. #3) on April 29, 2013. Although he clarified his representations about income he receives from pension payments, he still has not indicated whether or not he receives income from any of the other listed sources in question. Therefore, the court still cannot determine whether Plaintiff is eligible to proceed in forma pauperis. The court will allow Plaintiff one *final* opportunity to complete an Application to Proceed in Forma Pauperis with *full responses to each*

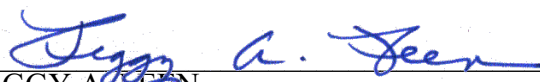
1 *inquiry*. Failure to do so will result in a recommendation to the district judge that the application be  
2 denied and this case be dismissed.

3 Accordingly,

4 **IT IS ORDERED** that:

- 5 1. Plaintiff's Application to Proceed In Forma Pauperis (Dkt. #3) is **DENIED WITHOUT**  
6 **PREJUDICE**.
- 7 2. The Clerk of Court shall mail Plaintiff a blank Application to Proceed In Forma Pauperis  
8 for non-incarcerated litigants..
- 9 3. Plaintiff shall have until **June 6, 2013**, in which to file a completed Application to  
10 Proceed In Forma Pauperis.
- 11 4. Alternatively, Plaintiff may pay the \$350.00 filing fee no later than **June 6, 2013**.
- 12 4. Failure to comply with this Order will result in a recommendation to the District Judge  
13 that Plaintiff's Application to Proceed In Forma Pauperis be denied and this case  
14 dismissed.

15 Dated this 6th day of May, 2013.

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18 PEGGY A. LEEN  
19 UNITED STATES MAGISTRATE JUDGE  
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